

FEB 02 2009

---

## SENATE RESOLUTION

---

REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT A STATEWIDE  
RAINWATER DETENTION AND RETENTION POND SAFETY PROGRAM.

1 WHEREAS, Hawaii has the highest number of drowning  
2 incidents in the country with an annual rate average of 2.4  
3 victims for every one hundred thousand residents who drown in  
4 the state's ocean waters, lakes, dams and reservoirs, rainwater  
5 retention and detention ponds, flood waters, swimming pools,  
6 spas, and private homes; and  
7

8 WHEREAS, this rate more than doubles when including visitor  
9 statistics, making Hawaii the nation's riskiest destination in  
10 terms of water safety; and  
11

12 WHEREAS, a high drowning rate detracts from the State's  
13 image as a safe and pleasurable visitor destination; and  
14

15 WHEREAS, Hawaii's keiki are the most vulnerable to  
16 drowning, which in Hawaii and nine other states, is the leading  
17 cause of death among children aged fourteen and younger; and  
18

19 WHEREAS, while drowning accidents in swimming pools are the  
20 leading cause of injury and death among children under the age  
21 of five, Hawaii's older keiki are more vulnerable to drowning in  
22 the ocean, lakes, ponds, dams and reservoirs, rainwater  
23 catchments, and detention and retention ponds; and  
24

25 WHEREAS, storm water detention and retention ponds and  
26 rainwater catchments are similarly used to harvest runoff  
27 rainwater; and  
28



1 WHEREAS, unregulated and poorly maintained detention and  
2 retention ponds, often mistaken for recreational bodies of water  
3 by Hawaii's children, pose a serious health and safety risk and  
4 should be clearly marked with hazard and warning signs that  
5 prohibit swimming and water sports; and  
6

7 WHEREAS, the Department of Health has recommended action by  
8 setting a goal to cut Hawaii's drowning rate by more than half,  
9 reducing it to less than one resident per one hundred thousand  
10 by 2010; and  
11

12 WHEREAS, the American Academy of Pediatrics and the  
13 Consumer Product Safety Commission have recommended fencing to  
14 protect children from circumventing adult supervision, and the  
15 State's Injury Prevention Panel has recommended four-sided  
16 isolation fencing for residential pools; and  
17

18 WHEREAS, just like pools, rainwater detention and retention  
19 ponds should be similarly enclosed with chain-link or see-  
20 through fencing that is at least four feet high and accessible  
21 only by a single locked gate; and  
22

23 WHEREAS, a rainwater detention and retention pond safety  
24 program needs to be implemented statewide to protect the safety  
25 of our children; and  
26

27 WHEREAS, the program should develop and implement rules and  
28 regulations that balance the importance of regulating rainwater  
29 detention and retention ponds to ensure public safety with the  
30 assurance of compliance by all state agencies and private sector  
31 builders and developers; now, therefore,  
32

33 BE IT RESOLVED by the Senate of the Twenty-fifth  
34 Legislature of the State of Hawaii, Regular Session of 2009,  
35 that the Department of Health is hereby requested to implement a  
36 Statewide Rainwater Detention and Retention Pond Safety Program  
37 as part of the Safety Program:  
38

- 39 (1) Encourage and assist developers or persons responsible  
40 for constructing or maintaining a retention pond,  
41 detention pond, or catchment area pond by adopting a  
42 maintenance and inspection plan to ensure adequate  
43 safety;



(2) Encourage installation of chain link or see-through fencing and signage to deter children from playing and congregating around or near these ponds or drainage areas; and

(3) Develop retention pond, detention pond, and catchment area pond safety components in the Department's curriculum;

and

BE IT FURTHER RESOLVED that the Department of Health is urged to request the Governor to provide funding to implement the Statewide Rainwater Detention and Retention Pond Safety Program to the fullest extent required; and

BE IT FURTHER RESOLVED that the Statewide Rainwater Detention and Retention Pond Safety Program should not be applied to or affect golf course properties; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Governor, Director of Health, and all county boards of water supply.

OFFERED BY: Shiranne Cron Calaland

Will Eyo  
Chris Bane

